

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

EUGENIO MELENDEZ MELENDEZ
MILAGROS SILVA AYALA

Debtor(s)

Case No: 10-09824 ESL

Chapter 13

MOTION TO INFORM AMENDED PLAN

TO THE HONORABLE COURT:

NOW COMES the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to increase the base of the plan.

WHEREFORE, it is respectfully requests to this Honorable Court to take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

In San Juan, Puerto Rico this 28th day of December of 2010.

JPC LAW OFFICE

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By: /s/ Jose M Prieto Carballo, Esq.

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 10-09824-13

MELENDEZ MELENDEZ, EUGENIO & SILVA AYALA, MILAGROS
Debtor(s)

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 10/19/2010

☐ AMENDED PLAN DATED: 12-28-10

☒ PRE ☐ POST-CONFIRMATION

Filed by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 355.00 x 24 = \$ 8,520.00
\$ 380.00 x 36 = \$ 13,680.00
\$ x = \$
\$ x = \$
\$ x = \$

TOTAL: \$ 22,200.00

Additional Payments:

\$ to be paid as a LUMP SUM
within with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ x = \$

PROPOSED BASE: \$ 22,200.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ 2,614.00

Signed: /s/ EUGENIO MELENDEZ MELENDEZ
Debtor

/s/ MILAGROS SILVA AYALA
Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. BPPR Cr. Cr.
71010014910676 #
\$ 4,500.00 \$

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. BBVA Cr. Cr.
13249616782865 #
\$ 5,500.00 \$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. Cr. Cr.

\$ \$ \$

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:
BPPR

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:
☐ Paid 100% / ☐ Other:

Cr. Cr. Cr.

\$ \$ \$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT
METHOD OF PAYMENT 11 USC 1325 (A)(5).

ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.

TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE
PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY
PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.

DEBTOR WILL PROVIDE INSURANCE TO BBVA THROUGH EASTERN AMERICAN INS CORP.

ADEQUATE PROTECTION TO BBVA IN THE AMOUNT OF \$150.00

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

Label Matrix for local noticing 0104-3 Case 10-09824-ESL13 District of Puerto Rico Old San Juan Tue Dec 28 12:47:15 AST 2010 US Bankruptcy Court District of P.R. U.S. Post Office and Courthouse Building 300 Recinto Sur Street, Room 109 San Juan, PR 00901-1964	BANCO BILBAO VIZCAYA ARGENTARIA PO BOX 364745 SAN JUAN, PR 00936-4745 BANCO BILBAO VIZCAYA ARGENTARIA PR ANGEL M. VAZQUEZ BAUZA PO BOX 191017 SAN JUAN PR. 00919-1017 BPPR P O BOX 366818 SAN JUAN, PR 00936-6818 COLLECTION ADV ASSO 120 CARR 876 TRUJILLO ALTO, PR 00976-7234 IRS P O BOX 21125 PHILADELPHIA, PA 19114-0325 PR ACQUISITIONS LLC 250 MUNOZ RIVERA AVENUE SUITE 1200 HATO REY PR 00918-1814 EUGENIO MELENDEZ MELENDEZ U1 CALLE 19 URB METROPOLIS CAROLINA, PR 00987-7465 MILAGROS SILVA AYALA U1 CALLE 19 URB METROPOLIS CAROLINA, PR 00987-7465	RECOVERY MANAGEMENT SYSTEMS CORP RAMESH SINGH 25 SE 2ND AVE STE 1120 MIAMI, FL 33131-1605 BBVA P O BOX 3671397 SAN JUAN, PR 00936 Banco Santander Puerto Po Box 362589 San Juan, PR 00936-2589 DORAL BANK P O BOX 71529 SAN JUAN, PR 00936-8629 MONEY EXPRESS BANKRUPTCY DIVISION PO BOX 9146 SAN JUAN, PR 00908-0146 Palisades Collections, LLC Vativ Recovery Solutions LLC As Agent For Palisades Collections, LLC PO Box 19249 Sugar Land TX 77496-9249 JOSE M PRIETO CARBALLO JPC LAW OFFICE PO BOX 363565 SAN JUAN, PR 00936-3565 MONSITA LECAROS ARIBAS OFFICE OF THE US TRUSTEE (UST) OCHOA BUILDING 500 TANCA STREET SUITE 301 SAN JUAN, PR 00901-1938
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JOSE RAMON CARRION MORALES PO BOX 9023884 SAN JUAN, PR 00902-3884		

End of Label Matrix

Mailable recipients	23
Bypassed recipients	0
Total	23